

That was the response of the Legislature to that petition. And it is one of those rare cases in the history of nations, people, and individuals, where a negative can be proved. I say the time has not come to write the history of that Legislature. The passions of the hour are raging; the strong hand of force rules. Law has ceased for the time being to exist; because martial law is no law. Military law, which now domineers and rides over this land, prostrating every right, breaking down every liberty, outraging every relation of society—that is not law; it is the absence of all law. It is the exercise of brute force; it is the power of the bayonet. Law is not found in the steel and in the sword; but it is to be found in the sovereignty of the people expressed through the ballot-box. And I venture the prediction that, though the voice of reason cannot now be heard, the day will come when the name of the martyr Wallis will be held in veneration and regard, because he had the courage and manliness, in the face of and in defiance of power, to utter bold truths, to prefer truth rather than the favor of power.

MR. BARRON. Will the gentleman inform us why the Legislature went into secret session?

THE PRESIDENT. The gentleman from Baltimore city (Mr. Barron) is not in order.

MR. SMITH, of Carroll. I propose as briefly as I can to address myself to the consideration of the question before the Convention, which is one that has not only excited elaborate, eloquent and instructive debate here, but has engaged the attention of some of the greatest minds in this country for the last half century. While I do not flatter myself that I can enlighten the minds of this Convention or of any part of it, I feel that I should not be thoroughly discharging the trust reposed in me by a confiding constituency, if I did not upon this occasion represent their views. I had fashioned out in an unmethodical way a plan of argument; but it has been almost entirely superseded by my friend from Somerset (Mr. Dennis.) He and I have run upon parallel political lines in several respects. We were both electors for Bell and Everett. There were inscribed on the banner which we bore aloft, visible throughout the State from Worcester to Allegany, three distinct propositions—"The Union, the Constitution, and the enforcement of the laws." The latter branch my friend in his political changes has entirely forgotten; but it is the most important of them all; for a Union and a Constitution without the power somewhere to enforce the laws, would be a mere chimera.

The doctrine propounded in this article is that we owe a paramount allegiance to the Government of the United States. Argument, history, and authority, all convince my mind that this is not a new question. My friend has said that

Maryland stood as a sponsor at the baptism of this Constitution. She did so, in times of peace, quiet and prosperity, when our forefathers looked out upon the future with hearts of hope, when their eyes were gladdened with the prospective scene of happiness which opened up before them. Maryland to-day stands sponsor to the same Constitution, though she is being baptised in blood and fire for her regeneration and purification. *She* has never changed, whatever her sons may have done. Maryland from the beginning has stood firmly, unalterably devoted to the Constitution and the laws of the country.

I have very few authorities to quote. Authorities have been presented here in immense number, and will be again presented, of the history of the confederation and of the adoption of the Constitution, in my mind too conclusive to admit of a single doubt. The very first words of the articles of confederation look to a perpetual Union. The gentleman from Somerset has made an argument against the right which we are contending for, upon the ground that the delegates from the different States signed the Constitution as delegates from the different States. Mr. Everett puts that matter entirely at rest in a very few words:

"THE DECLARATION OF INDEPENDENCE RECOGNIZES A PEOPLE.

"But this all-important principle in our political system is placed beyond doubt, by an authority which makes all further argument or illustration superfluous. That the citizens of the British colonies, however divided for local purposes into different governments, when they ceased to be subject to the English crown, became *ipso facto* one people for all the high concerns of national existence, is a fact embodied in the Declaration of Independence itself. That august manifesto, the *magna charta*, which introduced us into the family of nations, was issued to the world, so its first sentence sets forth, because "a decent respect for the opinions of mankind requires" such solemn announcement of motives and causes to be made, "when in the course of human events it becomes necessary for *one people* to dissolve the political bands which have connected them with another." Mr. Jefferson Davis, in his message of the 29th of April, deems it important to remark that, by the treaty of peace with Great Britain, "the several States were each by name recognized to be independent." It would be more accurate to say that the United States each by name were so recognized. Such enumeration was necessary, in order to fix beyond doubt which of the Anglo-American colonies, twenty-five or six in number, were included in the recognition. But it is surely a far more significant circumstance, that the separate States are not named in the Declaration of Independence, that they are called only by the collective designation